

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

IN RE: AVRAHAM K SCHWARCZ,
ANA M SCHWARCZ
Debtors

* CASE NO. 10-10675-B--11

* CHAPTER 11 PROCEEDING

**DEBTORS' EXPEDITED MOTION
TO SET BAR DATE FOR FILING CLAIMS**

RULE 9013 NOTICE

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING, UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.

TO THE HONORABLE RICHARD S. SCHMIDT, UNITED STATES BANKRUPTCY JUDGE:

NOW COMES, Avraham & Ana Schwarcz, debtor-in-possession ("debtor") and files this Expedited Motion to Set Bar Date for Filing Claims pursuant to Bankruptcy Rule 3003(c)(3) to establish a claims bar date, and in support thereof, would show this Court the following:

1. On October 1, 2010 (the "Petition Date"), debtors filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code with the Clerk of this Court. The debtors have

Avraham & Ana Schwarcz

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continued to operate their businesses and manage their assets as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

2. No Trustee or examiner has been appointed in the debtors' chapter 11 case, nor has any creditors' or other official committee been appointed herein pursuant to section 1102 of the Bankruptcy Code.

3. This Court has jurisdiction with respect to this Motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue of the debtors' chapter 11 case and this Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409. The predicate for this Motion is Rule 3003(c)(3) of the Federal Rules of Bankruptcy Procedure.

4. In order to efficiently proceed with the administration of this case it is necessary to have an Order entered providing for the filing of all proofs of claim on or before a date certain.

5. In particular, the debtors' Plan of Reorganization is currently being prepared and will be filed very soon and the debtor intends to prosecute this case as expeditious as possible. Debtor needs information concerning all the claims that must be considered prior to confirmation.

6. Debtor requests that the Court enter an Order providing that all claims against the estate which are required to be filed pursuant to Bankruptcy Rule 3003(c)(2) by parties who are timely notified in writing by the Debtor of the proposed Bar Date be barred if their claim is not filed on or before **February 14, 2011** a date which is some 90 days after the date first set for meeting of creditors, and which will be in excess of the 20 days notice of the Bar Date required by Rule 2002(a)(7).

7. The debtor requests that the Court approve the form of the Notice of Claims Bar Date and Order Related Thereto attached hereto as Exhibit "A" for mailing to the creditors and parties in interest in this estate. The Notice will require that all parties having claims against property of the estate must file a timely proof of claim. Such claims will have significant impact on the overall administration of this case.

WHEREFORE, debtor prays that this Court enter an order setting a deadline for filing proofs of claims, approving the attached form of notice of same, and for such other and further relief to which debtor may be justly entitled both at law and equity.

Respectfully Submitted,
Malaise Law Firm

by: /s/ Eduardo V. Rodriguez
Eduardo V. Rodriguez
State Bar No. 00795621
Admissions. No. 19945
1265 N. Expressway 83
Brownsville, Texas 78521
Tel. 956-547-9638
Fax. 956-547-9630
email (evr@malaiselawfirm.com)
Counsel for Debtor

CERTIFICATE OF SERVICE

I certify a true and correct copy of the foregoing *Motion* has been served upon the Debtor, the Trustee, the U.S. Trustee, all known creditors and all parties requesting notice by First Class U.S. Mail, postage prepaid and properly addressed, all as shown on the attached service list, unless otherwise requested by electronic filing, on November 5th, 2010.

United States Trustee
Barbara Jue
Wilson Plaza, Ste. 1107
606 N. Carancahua
Corpus Christi, Texas 78476

Avraham & Ana Schwarcz
1474 W. Price Road # 604
Brownsville, Texas 78520

and upon all creditors shown on attached matrix.

/s/ Eduardo V. Rodriguez
Eduardo V. Rodriguez

EXHIBIT "A"

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

IN RE: DR. JEFFERY REESE	§	CASE NO. 10-10675 -B-11
Debtor	§	
	§	CHAPTER 11 PROCEEDING

NOTICE OF CLAIMS BAR DATE AND ORDER RELATING THERETO

TO ALL CREDITORS AND OTHER PARTIES IN INTEREST :

PLEASE TAKE NOTICE, that the United States Bankruptcy Court has entered an Order dated _____, 2010 providing as follows:

CLAIMS BAR DATE: Any person served with this Notice who alleges to have a claim against the Debtor's estate shall file a written Proof of Claim on or before **FEBRUARY 14, 2011**, or such claim NOT timely filed shall be disallowed for all purposes, including voting and distribution on the Debtor's Plan of Reorganization; provided, however, that any creditor scheduled for the proper amount of its claim where such claim is listed by the Debtor on its schedules as not contingent, undisputed, and liquidated, or, any such creditor having previously filed a Proof of Claim, need not re-file such Proof of Claim or file a claim, as the case may be.

PROOFS OF CLAIMS MUST BE FILED WITH THE CLERK OF THE COURT AND A COPY MAILED TO THE DEBTOR'S COUNSEL AT THE FOLLOWING ADDRESS:

TO THE COURT:	United States Bankruptcy Court Southern District of Texas, Brownsville Division 1133 N. Shoreline Blvd. Corpus Christi, Texas 78401
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TO THE DEBTOR:	Avraham & Ana Schwarcz 1474 W. Price Road # 604 Brownsville, Texas 78520
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TO DEBTOR'S ATTORNEY:

Eduardo V. Rodriguez
MALAISE LAW FIRM
1265 North Expressway 83
Brownsville, TX 78520

Dated: _____

Respectfully Submitted,
Malaise Law Firm

by: /s/ Eduardo V. Rodriguez
Eduardo V. Rodriguez
State Bar No. 00795621
Admissions. No. 19945
1265 N. Expressway 83
Brownsville, Texas 78521
Tel. 956-547-9638
Fax. 956-547-9630
email (eduardor@malaiselawfirm.com)
Counsel for Debtors

Debtor(s): **Avraham K Schwarcz**
Ana M Schwarcz

Case No: **10-10675-B-11**
 Chapter: **11**

SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

Abelardo Limon
 LIMON LAW OFFICE
 890 West Price Road
 Brownsville, TX 78520

Avraham M. Mouzouz

Citi Cards
 P.O. Box 6077
 Sioux Falls, SD 57117-6077

Acura Finance Services
 P.O. Box 7829
 Philadelphia, PA 19101

Bank Of America
 De5-019-03-07
 Newark, DE 19714
 Bad Address

CitiBusiness Card
 P.O. Box 183051
 Columbus, OH 43218-3051

Advanta Bank Corp
 P.O. Box 8088
 Philadelphia, PA 1910-8088

Capital 1 Bank
 Attn: C/O TSYS Debt Management
 PO Box 5155
 Norcross, GA 30091

City of New Jersey
 Tax Collector's Office
 Room #101 City Hall
 280 Grove St.
 Jersey City, NJ 07302

Alberto and Irma Medrano
 9927 Sageroyal
 Houston, TX 77089

Cardmember Service
 P.O. Box 94014
 Palatine, IL 60094-4014

Client Services, Inc.
 3451 Harry Truman Blvd.
 St. Charles, MO 63301-4047

Alliant Law Group, P.C.
 2841 Junction Avenue, Suite 128
 San Jose, CA 95134

Cardmember Service
 P.O. Box 15548
 Wilmington, DE 19886-5548

Continental Airlines
 Cardmember Service
 P.O. Box 94014
 Palatine, IL 60094-4014

American Express
 Platinum Delta SkyMiles
 P.O. Box 650448
 Dallas, TX 75265-0448

Chase
 Po Box 15298
 Wilmington, DE 19850

Continental Airlines
 Cardmember Service
 P.O. Box 94014
 Palatina, IL 60094-4014

Amtrust Bank
 1801 E 9th St
 Cleveland, OH 44114

Chase
 Cardmember Service
 P.O. Box 94014
 Palatina, IL 60094-4014

Countrywide Home Lending
 Attention: Bankruptcy SV-314B
 PO Box 5170
 Simi Valley, CA 93062

AT&T Universal Card
 P.O. Box 182564
 Columbus, OH 43218-2564

Chase
 Cardmember Service
 P.O. Box 94014
 Palatine, IL 60094-4014

E-Z Pass
 New York Service Center
 P.O. Box 15187
 Albany, NY 12212-5187

Aviana Consultants, LLC

Chase - Cc
 Attention: Bankruptcy Department
 PO Box 15298
 Wilmington, DE 19850

Ernetso Garcia, Landlord
 5505 Lamp Light Pass
 Brownsville, TX 78520

Aviana Investments

Citi
 Po Box 6241
 Sioux Falls, SD 57117

Fifth Third Bank
 C/O Bankruptcy Dept, MDROPSO5
 1850 East Paris
 Grand Rapids, MI 49546

Debtor(s): **Avraham K Schwarcz**
Ana M Schwarcz

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SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

First Horizon Home Loans
 4000 Horizon Way
 Attn: Bankruptcy
 Irving, TX 75063

LTD Financial Services, L.P.
 7322 Southwest Freeway, Suite 1600
 Houston, TX 77074

Surfside II Condominiums
 P.O Box 2831
 South Padre Island, TX 78597

Franke, Inc. Realtors
 Kevin C. Franke
 8605 Padre Boulevard
 South Padre Island, TX 78597

NCO Financial Systems, Inc.
 P.O. Box 12100
 Dept. 64
 Trenton, NJ 08650

Td Bank N.a.
 32 Chestnut St
 Lewiston, ME 04240

Furcron Property Management Co.
 4800 Padre Blvd.
 South Padre Island, TX 78597

P.T. Moore, Jr.
 LAW OFFICES OF PAUL Y. CUNNINGHAM
 P.O. Box 2729
 South Padre Island, TX 78597

The Shores Association
 c/o Burton, McCumber & Cortez, LLP
 1950 Paredes Line Road
 Brownsville, TX 78521

Gemb/mattress Firm
 Po Box 981439
 El Paso, TX 79998

Parklane Homeowners Association
 c/o Furcron Property Mgmt Co.
 4800 Padre Blvd.
 South Padre Island, TX 78597

Tropical Texas Vacation Rentals, LLC

Hsbc/frnrw
 Po Box 703
 Wood Dale, IL 60191

Peoples Bk Credit Card Services
 Attn: Bankruptcy
 PO Box 7092 RCCB 0680
 Bridgeport, CT 06601

Tropical Texas Vacation Rentals, LLC

Kessler
 4716 Gettysburg Road
 Mechanicsburg, PA 17055

Pitney Bowes
 2225 American Drive
 Neenah, WI 54956-1005

United Collection Bureau, Inc.
 5620 Southwyck Blvd., Suite 206
 Toledo, OH 43614

Lacks Valley Stores Lt
 1300 San Patricia
 Pharr, TX 78577

Reliant Energy
 P.O. Box 650475
 Dallas, TX 75265-0475

Unvl/citi
 Attn.: Centralized Bankruptcy
 PO Box 20507
 Kansas City, MO 64195

Leading Edge Recovery Solutions
 P.O. Box 129
 Linden, MI 48451-0129

Sears/cbsd
 701 East 60th St N
 Sioux Falls, SD 57117

Valentine & Kebartas, Inc.
 P.O. Box 325
 Lawrence, MA 01842-0625

Lender Business Process Services
 P.O. Box 7162
 Pasadena, CA 91109-7162

Seaside Services, LLC
 P.O. Box 3203
 South Padre Island, TX 78597

Vantage Sourcing
 Post Office Box 6786
 Dothan, AL 36302

Lender Business Process Services
 P.O. Box 4121
 Beaverton, OR 97076-4121

Select Medical - Kessler
 AR Resources, Inc.
 P.O. Box 1056
 Blue Bell, PA 19422

Verizon Wireless
 P.O. Box 660108
 Dallas, TX 75266-0108

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SOUTHERN DISTRICT OF TEXAS
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Wash Mutual/providian
Attn: Bankruptcy Dept
PO Box 10467
Greenville, SC 29601

Wells Fargo Hm Mortgag
3476 Stateview Blvd
Fort Mill, SC 29715